



01-21-09

JFW

PTO/SB/21 (12-08)

Approved for use through 01/31/2009. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

46

Application Number	10/593,889
Filing Date	09/23/2006
First Named Inventor	Seiji Kashioka
Art Unit	2837
Examiner Name	Andrew Millikin

Attorney Docket Number

### ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
  - After Final
  - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/ Incomplete Application
  - Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_
- Landscape Table on CD

Remarks

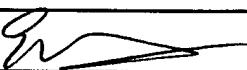
- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Seiji Kashioka		
Date	01/20/2009	Reg. No.	

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	EVA CHE	Date	1-20-2009

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## RESPONSE TO THE OFFICE ACTION

Application /Control Number: 10/593,889

Art Unit: 2837

Examiner: Andrew Millikin

Applicant: Seiji Kashioka

Date: 01/19/2009

This is response to the OFFICE ACTION dated 10/20/2008.

Package includes:

- (1) This letter of response (9 pages)
- (2) Amended Claims (4 pages)
- (3) Substitute Specification with showing markup (16 pages)
- (4) Substitute Specification-final without showing markup (16 pages)
- (5) Statement (1page)

This response follows order of item number of your DETAILED ACTION.

### SPECIFICATION

#### ITEM No. 2

Specification was revised. A substitute specification with change markings and a clean version of it were attached. Many ambiguities came from use of German word "takt", which was replaced by "beat" in substitute specification. Also, comment about term "beat" was added in the paragraph [0002], because "beat" is used as plural meaning; one is corresponding to denominator or fundamental beat in time signature, other is corresponding to one swing of metronome or conductor's baton. These two are not always same; for example fast three beats becomes one swing of conductor's baton. Initially in this specification, "takt" was used to specify one swing of conductor's baton, but it seems to be local practice to use the word for swing of baton.

#### ITEM No. 3